



Sixteenth meeting of the Noumea Convention

Sixteenth ordinary meeting of the contracting parties to the convention for the protection of the natural resources and environment of the South Pacific Region and related protocols (Noumea Convention)

Virtual - Apia, Samoa
02 September 2021

Agenda Item 7.3: Regional framework to address marine litter and microplastics

Purpose of paper

1. To inform the Parties on the progress of work and seek advice and guidance on the development of a regional framework to address marine litter and microplastics and its inclusion in the Secretariat's work plan for 2022-2023.

Background

2. Negotiations on a global legally binding framework has been ongoing since United Nations Environment Assembly (UNEA1) to the upcoming UNEA5.2. The Pacific Island States have been part of the negotiations supported by a coalition of SIDS and non-state actors such as the Environmental Investigation Agency (EIA) and Centre for International Environment Law (CIEL).
3. The Pacific Marine Litter Action Plan (PMLAP) 2018-2025 endorsed by Pacific Forum Leaders in 2018 includes priority actions 1.1 and 1.2 to support the development of a global legal framework to address marine litter and microplastics; and to develop a regional framework to address marine litter and microplastics possibly through the scope of the Noumea Convention.
4. The work to draft elements for a regional framework has been made possible through funding assistance from UNEP and ACPMEA Phase III Programme.

Purpose of a marine litter and microplastics framework

5. The purpose of the development of a regional framework to address marine litter and microplastics is to implement Priority Action 1.2 of the Pacific Regional Marine Litter Action Plan 2018-2025 possibly through the scope of the Noumea Convention. Although the Convention covers pollution from vessels (Article 6), pollution from land-based sources (Article 7), disposal of waste (Article 10), storage of toxic and hazardous wastes (Article 11), the Convention does not adequately address marine plastic litter and microplastics. This includes limitations in scope and mandate, broad and indirect application to the issue and variations in strategies and approaches¹. The development of this framework will address the existing gaps in addressing issues of marine litter and microplastic pollution.

¹ Raubenheimer K, et al (2017) 'Combating marine plastic litter and microplastics: An assessment of the effectiveness of relevant international, regional and subregional governance strategies and approaches'. UNEP.

6. The implementation of Priority Action 1.2 fulfills the role of SPREP in assisting PICTs to address environmental and marine pollution issues. This is recognized through the endorsement of the PMLAP at the 1st SPREP Executive Board Meeting in 2018 and subsequently by the Forum Leaders and reflected in the Leaders' communique that "waste is critical for the Blue Pacific" in which they have reaffirmed their commitment. The Forum Leaders also recognized that marine litter is a transboundary issue and noted that globally, we are witnessing an unprecedented focus on waste and pollution issues. They observed that the issue of waste and pollution, particularly plastic, is now of equal prominence for our region, as climate change.

Proposed objectives of a regional framework

7. The objectives of the new regional framework would include:
 - a. Consideration of all Parties to the Noumea Convention in terms of national waste programmes, plans, policies, and strategies;
 - b. Focusing on high level issues and discussions at the national and regional level;
 - c. Ensuring wide consultation and participation, foster discussions for better understanding of convergences of ideas to achieve the common vision of addressing marine litter and microplastics;
 - d. Party driven approach considering the unique circumstances of Pacific islands countries and territories (PICTs);
 - e. Harnessing existing actions at national, regional, and international level;
 - f. Considering the plastic life cycle approach to addressing marine litter and microplastics considering consumption and production;
 - g. Including provisions for monitoring, compliance and enforcement and reporting and communication mechanism; and
 - h. Including provisions for funding the implementation.

Methodology in the development

8. A consultant is being engaged under SPREP's bidding and procurement process to develop the new framework who will then consult with Parties through a range of methods including surveys, interviews, and use of existing reports and inventories of national and relevant international frameworks on sources of marine litter.

Recommendation

9. The Parties are invited to:
 - 1) **note** the status and progress of work on the development of the new regional framework to address marine litter and microplastics;
 - 2) **agree** to include the development of the new draft regional framework to address marine litter and microplastics in the Secretariat's workplan for 2022-2023; and
 - 3) **agree** to assist and support the process for developing the regional framework.